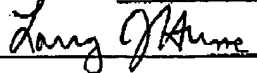


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Signature (Larry J. Hume)

Docket No.: 21806-00085-US
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Patent Application of:
Brian C. Barker et al.

Confirmation No.: 3261

Application No.: 09/527,761

Filed: March 17, 2000

Art Unit: 2876

For: WAFER IDENTIFICATION MARK

Examiner: S. H. Lee

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LETTER FORWARDING PREVIOUSLY FILED NOTICE OF APPEAL AND POAMS Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 3, 2004

Dear Sir:

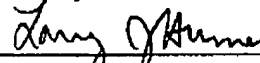
A notice of Appeal was timely filed on August 4, 2003, and an Appellant's Brief was timely filed (in triplicate) in the U.S. Patent & Trademark Office on October 6, 2003 for the above-identified patent application.

In response to Examiner Lee's request to the undersigned by telephone on August 3, 2004, a copy of the Notice of Appeal and the facsimile receipt is enclosed. The Image File Wrapper (IFW) System at the USPTO does not include the timely filed Notice of Appeal. A Power of Attorney is also included.

Applicant believes no fee is due with this response. However, if a fee is due, please charge IBM Deposit Account No. 09-0456, under Order No. 21806-00085-US from which the undersigned is authorized to draw.

Respectfully submitted,

By

Larry J. Hume, Reg. No. 44,163
CONNOLLY BOVE LODGE & HUTZ LLP
1990 M Street, N.W., Suite 800
Washington, DC 20036-3425
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant

TO: Auto-reply fax to 1-2936229 COMPANY:

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AUG-04-2003 14:16

CONNOLLY BOVE LODGE & HUTZ

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FAX TRANSMISSION

DATE: August 4, 2003

PTO IDENTIFIER: Application Number 09/527,761-Conf. #3261
Patent Number

Inventor: Brian C. Parker, et al.

MESSAGE TO: S. Lee

FAX NUMBER: (703) 872-9319

FROM: CONNOLLY BOVE LODGE & HUTZ LLP

Larry J. Hume

PHONE: (202) 331-7111


Attorney Ref. #: 21806-00085-US

PAGES (including Cover Sheet): 6

CONTENTS: Certificate of Transmission Under 37 CFR 1.8 (1 page)
Notice of Appeal (1 page)
Associate Power of Attorney (1 page)
Transmittal (1 page)
Fee Transmittal (1 page); and
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CONNOLLY BOVE LODGE & HUTZ LLP
1900 M Street, N.W., Suite 900, Washington, DC 20036-3425
Telephone: (202) 331-7111 Facsimile: (202) 293-6229

FAX TRANSMISSION**DATE:** August 4, 2003**PTO IDENTIFIER:** Application Number 09/527,761-Conf. #3261
Patent Number**Inventor:** Brian C. Barker, et al.**MESSAGE TO:** S. Lee**FAX NUMBER:** (703) 872-9319**FROM:** CONNOLLY BOVE LODGE & HUTZ LLPLarry J. Hume **PHONE:** (202) 331-7111**Attorney Dkt. #:** 21806-00085-US**PAGES (Including Cover Sheet):** 6**CONTENTS:** Certificate of Transmission Under 37 CFR 1.8 (1 page)
Notice of Appeal (1 page);
Associate Power of Attorney (1 page)
Transmittal (1 page);
Fee Transmittal (1 page); and
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PTO/SB/97 (12-97)

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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on August 4, 2003
Date

Troy Breitmaier
Signature

Troy Breitmaier
Typed or printed name of person signing Certificate

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Notice of Appeal (1 page);
Associate Power of Attorney
Transmittal (1 page);
Fee Transmittal (1 page); and
Charge \$320.00 to IBM Deposit Account 09-0456.

PTO/SB/21 (05-03)

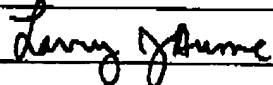
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	09/527,761
		Filing Date	March 17, 2000
		First Named Inventor	Brian C. Barker
		Art Unit	2876
		Examiner Name	S. Lee
Total Number of Pages in This Submission	1	Attorney Docket Number	21806-00085-US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Associate Power of Attorney
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	CONNOLLY BOVE LODGE & HUTZ LLP Larry J. Hume - 44,163
Signature	
Date	August 4, 2003

9693_1

PTO/S&M7 (05-03)
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)		320.00	
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Complete if Known	
Application Number	09/527,761-Conf. #3261
Filing Date	March 17, 2000
First Named Inventor	Brian C. Barker
Examiner Name	S. Lee
Art Unit	2876
Attorney Docket No.	21806-00085-US

<p>METHOD OF PAYMENT (check all that apply)</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None</p> <p><input checked="" type="checkbox"/> Deposit Account</p> <p>Deposit Account Number: 09-0456</p> <p>Deposit Account Name: IBM</p> <p>The Director is hereby authorized to: (check all that apply)</p> <p><input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments</p> <p><input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application</p> <p><input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.</p>	<p>FEE CALCULATION (continued)</p> <p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053</td> <td>130</td> <td>1053</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252</td> <td>410</td> <td>2252</td> <td>205</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>630</td> <td>2253</td> <td>465</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,450</td> <td>2254</td> <td>725</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>1,870</td> <td>2255</td> <td>985</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>320</td> <td>2401</td> <td>160</td> <td>Notice of Appeal</td> <td>320.00</td> </tr> <tr> <td>1402</td> <td>320</td> <td>2402</td> <td>180</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>280</td> <td>2403</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>1451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453</td> <td>1,300</td> <td>2453</td> <td>650</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501</td> <td>1,300</td> <td>2501</td> <td>650</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>470</td> <td>2502</td> <td>235</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503</td> <td>630</td> <td>2503</td> <td>315</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> <td></td> </tr> <tr> <td>1808</td> <td>180</td> <td>1808</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>9021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809</td> <td>750</td> <td>2809</td> <td>375</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>1810</td> <td>750</td> <td>2810</td> <td>375</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>1801</td> <td>750</td> <td>2801</td> <td>375</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table> <p>Other fee (specify):</p> <p>*Reduced by Basic Filing Fee Paid</p> <p>SUBTOTAL (3) (\$) 320.00</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	630	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,870	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal	320.00	1402	320	2402	180	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1808	180	1808	180	Submission of Information Disclosure Stmt		8021	40	9021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
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1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
Total Claims	.. =	Extra Claims	x	Fee from below	= Fee Paid
Independent Claims	.. =	Extra Claims	x	Fee from below	= Fee Paid
Multiple Dependent	.. =	Extra Claims	x	Fee from below	= Fee Paid

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claims, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	0.00

** or number previously paid, if greater. For Reissues, see above

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Larry J. Hume	Registration No. (Attorney/Agent)	44,163
Signature	<i>Larry J. Hume</i>	Telephone	(202) 331-7111
		Date	August 4, 2003